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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**VOTING RIGHTS DEFENSE PROJECT,
AMERICAN INDEPENDENCE PARTY,
CLARA DAIMS, and SUZANNE
BUSHNELL.**

Plaintiffs.

V.

ALEX PADILLA, in his official capacity as Secretary of State and an indispensable party, TIM DUPUIS, in his official capacity as chief of the Alameda County Registrar of Voters, JOHN ARNTZ, in his official capacity as Director of the San Francisco Board of Elections, and DOES I-X.

Defendants.

3:16-cv-02739-WHA

**STIPULATION AND [PROPOSED]
ORDER VACATING CASE
MANAGEMENT CONFERENCE SET
FOR AUGUST 18, 2016**

Date: August 18, 2016

Time: 11:00 a.m.

Dept: 8

Judge: The Honorable William Alsup

Pursuant to Civil Local Rules 6-1(b), 6-2 and 16-2(e), the Parties submit and stipulate to the following:

WHEREAS, on May 20, 2016, Plaintiffs filed the operative amended complaint (“Complaint”) in this matter.

28 WHEREAS, on June 1, 2016, the Court denied Plaintiffs motion for preliminary

1 injunction in which Plaintiffs sought that defendants be ordered to take certain actions in
2 connection with the June 7, 2016 California presidential primary election.
3

4 WHEREAS, on May 24, 2016 the Court set the Case Management Conference in this
5 matter for August 18, 2016.
6

7 WHEREAS, Defendants have filed motions to dismiss the Complaint, asking that it be
8 dismissed without leave to amend. The hearing on the motions is set for August 18, 2016.
9

10 WHEREAS, in Plaintiffs' opposition to the motions. Plaintiffs have indicated that they
11 intend to seek leave to further amend their Complaint.
12

13 WHEREAS, Defendants contend that the Court should deny leave to amend the
14 Complaint on grounds of futility, including, among other grounds, that this action is moot
15 because the June 7, 2016 primary election has concluded.
16

17 WHEREAS, the Parties agreed that it would be appropriate to have the motion to dismiss
18 heard and resolved before a case management conference was held in this case, since resolution
19 of Defendants' motions could dispose of all of the issues in this case.
20

21 NOW, THEREFORE, the Parties hereby stipulate to, and request that the Court enter, an
22 order vacating the August 18, 2016 Case Management Conference and all corresponding
23 deadlines and filings.
24

25

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28

1 DATED: August 1, 2016

Respectfully Submitted

2 KAMALA D. HARRIS
3 Attorney General of California
4 TAMAR PACHTER
5 Supervising Deputy Attorney General

6 By: /s/ SHARON L. O'GRADY
7 Deputy Attorney General
8 *Attorneys for Defendant Alex Padilla*

9 DATED: August 1, 2016

10 TIM DUPUIS
11 Chief of the Alameda County Registrar of
12 Voter

13 By: /s/ RAYMOND LARA
14 Office of the County Counsel
15 1221 Oak Street, Suite 450
16 Oakland, CA 94612
17 Tel: (510) 272.6700
18 Email: raymond.lara@acgov.org
19 *Attorneys for Tim Dupuis*

20 DATED: August 1, 2016

21 JOHN ARNTZ
22 Department of Elections
23 Director of the San Francisco Board
24 Of Elections

25 By: /s/ JOSHUA WHITE
26 City and County of San Francisco
27 1 Dr. Carlton B. Goodlett Place
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Attorneys for John Arntz

1 DATED: August 1, 2016

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12 Stip Proposed Order Vacating CMC.doc
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Honorable William Alsup
United States District Court Judge

ATTESTATION

I, Sharon L. O'Grady, am the ECF user whose identification and password are being used to file the STIPULATION AND [PROPOSED] ORDER VACATING CASE MANAGEMENT CONFERENCE SET FOR AUGUST 18, 2016. In compliance with Local Rules 5, 6, and 7-12, I hereby attest that Raymond Lara, Joshua White, and William M. Simpich have all concurred in this filing.